

GENOVA, BURNS & GIANTOMASI

494 Broad Street

Newark, New Jersey 07102

Phone: (973) 533-0777

Facsimile: (973) 533-1112

Attorneys for Court Appointed Monitor, Nicholas R. Amato

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MILLENNIUM TELECARD, INC., et al.,

Defendants.

Civil Action No.: 11-2479(JLL)(MAH)

**SECOND CONSENT ORDER
MODIFYING PRELIMINARY
INJUNCTION**

This matter having been opened to the Court by the Court Appointed Monitor, Nicholas R. Amato, Esq. (the "Monitor"); and the Monitor having recommended a modification of the Court's August 16, 2011 Preliminary Injunction [Docket Entry No. 45], as amended by the September 19, 2011 Consent Order Modifying Preliminary Injunction [Docket Entry No. 56]; and all parties having consented hereto; and for good cause shown,

IT IS on this 16th day of November, 2011,

ORDERED that the Court's August 16, 2011 Preliminary Injunction [Docket Entry No. 45], as amended by the September 19, 2011 Consent Order Modifying Preliminary Injunction [Docket Entry No. 56], Paragraph VIII of the Preliminary Injunction is hereby **MODIFIED** to provide as follows:

VIII.

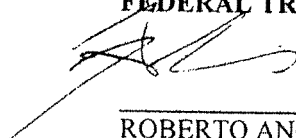
ASSET MONITORING AND PRESERVATION

- ...
- I. Notwithstanding the foregoing, Defendants may withdraw the following funds totaling \$500,000.00, which funds shall be transferred to an interest-bearing account of the law firm of Schenck, Price, Smith & King, LLP (as Escrow Agent), who will hold said sum for no other purpose than payment to the FTC upon execution of the Proposed Stipulated Final Order by the FTC and upon entry of an Order of this Court.
- i. \$130,000.00 from the safety deposit box at The Provident Bank, located at 562 Lexington Avenue, Clifton N.J. 07011 titled in the name of Fadi Salim;
 - ii. \$120,000.00 from the Business Operating Account of the Corporate Defendants;
 - iii. \$250,000.00 from Fadi Salim's E*Trade Account.
- J. The Proposed Stipulated Final Order is subject to approval by a vote of the Federal Trade Commission. If the proposed agreement is not approved by the Federal Trade Commission, the funds in the interest-bearing account described in Section VIII(I), *supra*, shall be returned to their prior locations, and shall continue to be subject to the asset preservation and other provisions of this Order.

IT IS FURTHER ORDERED that the remaining terms of the Court's August 16, 2011 Preliminary Injunction [Docket Entry No. 45], as amended by the September 19, 2011 Consent Order Modifying Preliminary Injunction [Docket Entry No. 56], shall remain in effect until further order of the Court.

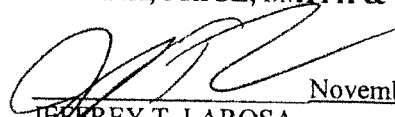
AGREED BY AND BETWEEN:

FEDERAL TRADE COMMISSION



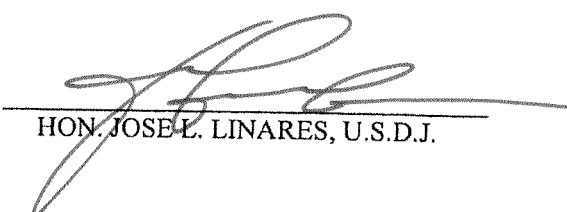
November 14, 2011
ROBERTO ANGUIZOLA Date
Counsel to Plaintiff,
Federal Trade Commission

SCHENK, PRICE, SMITH & KING, LLP



November 14, 2011
JEFFREY T. LAROSA Date
Counsel to Defendants,
Millennium Telecard, Inc., et al.

SO ORDERED:



HON. JOSE L. LINARES, U.S.D.J.